

REMARKS

Claims 4, 5, and 17 have been canceled. Claims 1, 13, 18, and 20 have been amended. Claims 1 through 3, 6 through 16, and 18 through 20 remain in the application. A marked up copy of the amended claims is attached hereto as Appendix A.

Claims 1 through 20 were rejected under 35 U.S.C. § 112, first paragraph, as based on a disclosure which is not enabling. Applicants respectfully traverse this rejection.

An analysis of whether the claims are supported by an enabling disclosure requires a determination of whether that disclosure contained sufficient information regarding the subject matter of the claims as to enable one skilled in the pertinent art to make and use the claimed invention. The test for enablement is whether one skilled in the art could make and use the claimed invention from the disclosure coupled with information known in the art without undue experimentation. See United States v. Telectronics, Inc., 857 F.2d 778, 785, 8 U.S.P.Q.2d 1217, 1223 (Fed. Cir. 1988), cert. denied, 109 S.Ct. 1954 (1989); In re Stephens, 529 F.2d 1343, 1345, 188 U.S.P.Q. 659, 661 (C.C.P.A. 1976).

In order to make a rejection, the Examiner has the initial burden to establish a reasonable basis to question the enablement provided for the claimed invention. See In re Wright, 999 F.2d 1557, 1561-62, 27 U.S.P.Q.2d 1510, 1513 (Fed. Cir. 1993)(Examiner must provide a reasonable explanation as to why the scope of protection provided by a claim is not adequately enabled by the disclosure).

Thus, the dispositive issue is whether Applicants' disclosure, considering the level of ordinary skill in the art as of the date of Applicants' application, would have enabled a person of such skill to make Applicants' invention without undue experimentation. The threshold step in resolving this issue as set forth supra is to determine whether the Examiner has met his burden

of proof by advancing acceptable reasoning inconsistent with enablement. This the Examiner has not done.

The Specification clearly states, on page 8, lines 2 through 6, that the mold 30 also includes a movable slide 42 movable along a channel 44 in the second half mold 34 between an extended position as illustrated in Figure 3 and a retracted position as illustrated in Figure 4. The Specification clearly states, on page 8, lines 23 through 25, that the method includes the step of moving the slide 42 by extending the slide 42 into the cavity area. The Specification clearly states, on page 9, lines 23 through 25, that the method includes the step of moving the slide 42 by retracting the slide 42 away from the blade 48 as illustrated in Figure 4. FIGS. 3 and 4 clearly show the slide moving between an extended position and a retracted position. One skilled in the art would clearly have sufficient information regarding the subject matter of the claims as to enable one skilled in the pertinent art to make and use the claimed invention without undue experimentation. Therefore, it is respectfully submitted that claims 1 through 20 overcome the rejection under 35 U.S.C. § 112, first paragraph.

Claims 1 through 20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection.

Claims 1, 13, and 20 have been amended to provide antecedent basis for “the slide”. It is respectfully submitted that claims 1 through 20 are allowable over the rejection under 35 U.S.C. § 112, second paragraph.

Claims 1, 2, 4, 5, 7 through 14, and 17 through 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Jogan et al. (U.S. Patent No. 5,429,786). Applicants respectfully traverse this rejection.

U.S. Patent No. 5,429,786 to Jogan et al. discloses a method of manufacturing a resin member. A resilient laminate sheet member 13 is prepared in a first step, which includes a flat skin sheet 10 of a thermoplastic resin such as polypropylene and a flat soft foam sheet 12 also composed of polypropylene. After the skin sheet 10 and foam sheet 12 of the resilient laminate sheet member 13 are heated, the hot resilient laminate sheet member 13 is vacuum molded with a prescribed mold to have a predetermined shape corresponding to an area A on the upper face of instrument panel IP. The prepared resilient surface sheet element 14 is placed in a female mold 15 for molding the instrument panel IP. A first thermoplastic resin 18 is then fed into a space between a male mold 17 and the resilient surface sheet element 14 set in a predetermined recess 16 of the female mold 15. After the thermoplastic resin 18 is fed into the space between the male mold 17 and the resilient surface sheet element 14, one of the molds 15 or 17 is moved to and pressed against the other for securing the mold closing. Before the thermoplastic resin 18 filling through the first cavity section formed on the rear face of the resilient surface sheet element 14 is completely hardened in the mold closing and pressing process, an injection gate 20 of the male mold 17 is opened. A second thermoplastic resin 21 is injected from the injection gate 20 to a second cavity section. A second thermoplastic resin 21 immediately fills the second cavity section, that is, in an area other than rear face of the resilient surface sheet element 14, at the predetermined injection temperature. Jogan et al. does not disclose the steps of moving a slide to an extended position on a core of a mold, depositing a molten thermoplastic material onto the core of the mold, closing the mold, and moving the slide to a retracted position.

In contradistinction, claim 1, as amended, clarifies the invention claimed as a method of making an interior trim panel for attachment to structure of a vehicle. The method includes the steps of loading a trim blank into a cavity of a first side of a mold, moving a slide to an extended position on a core of the mold, and depositing a molten thermoplastic material onto

the core of the mold. The method also includes the steps of closing the mold and moving the slide to a retracted position. The method further includes the steps of injecting a molten thermoplastic material into a second side of the mold to form the interior trim panel.

A rejection grounded on anticipation under 35 U.S.C. § 102 is proper only where the subject matter claimed is identically disclosed or described in a reference. In other words, anticipation requires the presence of a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. In re Arkley, 455 F.2d 586, 172 U.S.P.Q. 524 (C.C.P.A. 1972); Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983); Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481 (Fed. Cir. 1984).

Jogan et al. '786 does not disclose or anticipate the claimed invention of claims 1, 13, and 20. Specifically, Jogan et al. '786 merely discloses a method of manufacturing a resin member in which a first thermoplastic resin is then fed into a space between a male mold and a resilient surface sheet element set in a predetermined recess of a female mold and a second thermoplastic resin fills a second cavity section, that is, in an area other than rear face of the resilient surface sheet element. Jogan et al. '786 lacks the steps of moving a slide to an extended position on a core of a mold, depositing a molten thermoplastic material onto the core of the mold, closing the mold, and moving the slide to a retracted position. Jogan et al. '786 fails to disclose the combination of a method of making an interior trim panel including the steps of loading a trim blank into a cavity of a first side of a mold, moving a slide to an extended position on a core of the mold, depositing a molten thermoplastic material onto the core of the mold, closing the mold, moving the slide to a retracted position, and injecting a molten thermoplastic material into a second side of the mold to form the interior trim panel as claimed by Applicants.

Therefore, it is respectfully submitted that claims 1, 13, and 20 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

Claims 3, 6, 15, and 16 were rejected under 35 U.S.C. § 103 as being unpatentable over Jogan et al. '786. Applicants respectfully traverse this rejection for the same reasons given above to claims 1 and 13.

Based on the above, it is respectfully submitted that the claims are in a condition for allowance, which allowance is solicited.

Respectfully submitted,

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APPENDIX A**VERSION OF THE CLAIMS WITH MARKINGS TO SHOW THE CHANGES**

Please amend claims 1, 13, 18, and 20 as follows:

1. (AMENDED) A method of making an interior trim panel for attachment to structure of a vehicle, said method comprising the steps of:

loading a trim blank into a cavity of a first side of a mold;

moving a slide to an extended position on a core of the mold;

depositing a molten thermoplastic material onto [a] the core [on the first side] of the mold;

closing the mold;

moving the slide [in a channel of the core] to a retracted position; and

injecting a molten thermoplastic material into a second side of the mold to form the interior trim panel.

13. (AMENDED) A method of making an interior trim panel for attachment to an inner panel of a vehicle, said method comprising the steps of:

loading a trim blank into a cavity of a mold on a first side thereof;

moving a slide to an extended position on a core of the mold;

depositing a molten thermoplastic material onto [a] the core of the mold [on the first side thereof];

closing the mold to form a first portion of the interior trim panel;

moving the slide [in a channel of the core] to a retracted position; and

injecting a molten thermoplastic material into the mold and forcing the molten plastic material into a second side of the mold to form a second portion of the interior trim panel.

18. (AMENDED) A method as set [for the in claim 17] forth in claim 13 including the step of opening the mold.

20. (AMENDED) A method of making a door trim panel for attachment to an inner panel of a door of a vehicle, said method comprising the steps of:

loading a trim blank into a cavity of a mold on a first side thereof;

extending a slide to an extended position on a core of the mold;

depositing a molten thermoplastic material onto [a] the core of the mold [on the first side thereof];

closing the mold to form a first portion of the interior trim panel;

[moving the slide into a channel of the core] retracting the slide to a retracted position; and

injecting a molten thermoplastic material into a second side of the mold and forcing the molten plastic material into the second side of the mold to form a second portion of the door trim panel.